

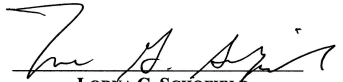
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

So Ordered.

Dated: May 21, 2025  
New York, New York

IN RE AXSOME THERAPEUTICS, INC.  
SECURITIES LITIGATION

1:22-cv-3925-LGS

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER**  
**EXTENDING DEADLINES PENDING MEDIATION**

Lead Plaintiffs Thomas Giblin, Paul Berger, for himself and as sole trustee of the Paul Berger Revocable Trust, and Paul Sutherland and Defendants Axsome Therapeutics, Inc., Herriot Tabuteau, and Mark Jacobson (collectively, “Parties”), by and through their respective counsel, stipulate as follows:

WHEREAS, on March 31, 2025, the Motions to Dismiss (ECF Nos. 79, 82) in this action were granted, in part, and denied, in part (ECF No. 90);

WHEREAS, on May 2, 2025, the Court entered a Case Management Order (ECF No. 97) establishing a pre-trial schedule in the action and an Order establishing a schedule for class certification briefing and related proceedings (ECF No. 96) (together, the “Scheduling Orders”);

WHEREAS, the Parties have conferred and have, while reserving all other rights, agreed to pursue the potential resolution of this matter through the services of a private mediator;

WHEREAS, the Parties have agreed on a mediator and have confirmed that the mediation will take place on July 31, 2025;

WHEREAS, the Parties believe that extending deadlines in this action pending mediation will allow the parties to focus on their mediation efforts and avoid substantial costs that will otherwise be incurred in the absence of an extension;

WHEREAS, the Parties affirm that no party will be prejudiced by this stipulation, and that

the extension is intended to expedite resolution of the above-captioned case rather than cause any undue delay;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the Parties, and subject to the Court's approval, as follows:

1. ~~The deadlines in the Case Management Order and those triggered by service (e.g., recently served Requests for the Production of Documents), are extended for a period of 90 days.~~

2. The deadlines in the Order establishing a schedule for class certification briefing and related proceedings (ECF No. 96) are extended for a period of 60 days.

3. Within 90 days from the date of this Order or 10 business days following the conclusion of the Parties' mediation, whichever is earlier, the Parties shall submit a Joint Status Report notifying the Court of (a) the status or outcome of the mediation; and (b) the Parties' proposed schedule and procedure for resolving any issues that still require adjudication.

4. In the event that mediation is unsuccessful, the Parties shall submit revised Scheduling Orders consistent with the dates noted in ~~Paragraphs 1 and 2~~ above.

**SO STIPULATED AND AGREED.**

Dated: May 19, 2025

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